

Message Text

LIMITED OFFICIAL USE

PAGE 01 NEW DE 09901 231426Z

50

ACTION NEA-10

INFO OCT-01 EA-06 ISO-00 NEAE-00 SSO-00 NSCE-00 INRE-00

CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 AID-05 OMB-01 BIB-01 /063 W

----- 035220

O R 231350Z JUL 75

FM AMEMBASSY NEW DELHI

TO USIA WASHDC IMMEDIATE

SECSTATE WASHDC IMMEDIATE 0123

INFO AMCONSUL BOMBAY

CSBTA/AMCONSUL CALCUTTA 5245

AMCONSUL MADRAS

AMCONSUL HONG KONG

LIMITED OFFICIAL USE NEW DELHI 9901

USIAC

E.O. 11652: N/A

SUBJECT: GOI SPOKESMAN AND PRESS CENSORSHIP

1. ACTING PAO CALLED ON MEA SPOKESMAN HAKSAR AFTERNOON JULY 23 AS FOLLOW-UP TO PAO HEMSING'S PREVIOUS ORAL AND WRITTEN INQUIRIES ON WHEN NOTEBOOKS OF WASHPOST CORRESPONDENT SIMONS WOULD BE TURNED OVER TO EMBASSY FOR FORWARDING TO SIMONS. HAKSAR AFFIRMED HE WAS DOING HIS BEST TO OBTAIN THE NOTEBOOKS THROUGH GOVERNMENT CHANNELS (FROM CUSTOMS OFFICES WHICH ARE UNDER MINISTRY OF FINANCE) BUT HAD SIMPLY NOT BEEN ABLE THUS FAR TO COMPLETE THE PROCESS. SAID HE HOPED WE WOULD BELIEVE HIM WHEN HE SAID HE WAS NOT TRYING TO BE EVASIVE OR OTHERWISE DELAY THE PROCESS; IT WAS JUST TAKING LONGER THAN HE HAD EXPECTED. WHEN ASKED WHETHER HE COULD TAKE STEPS TO ASSURE THAT OTHER CORRESPONDENTS' PERSONAL PROPERTY WOULD NOT BE CONFISCATED IN LIKE MANNER, HADKSAR DID NOT ANSWER DIRECTLY BUT SAID CUSTOMS HAVE THE RIGHT TO EXAMINE BAGGAGE AND BELONGINGS; HE ADDED THAT THERE HAD BEEN INSTANCES WHERE

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 NEW DE 09901 231426Z

CORRESPONDENTS HAD TAKEN COLLEAGUES' COPY OUT FOR FILING FROM

OTHER COUNTRIES, IN EFFECT VIOLATING INDIAN CENSORSHIP REGULATIONS.

2. ACTING PAO

EMPHASIZED THAT EMBASSY TOOK STRONG EXCEPTION TO THE SEIZURE OF PERSONAL PROPERTY OF CORRESPONDENTS, THAT IT EXPECTED MEA TO ASSIST EMBASSY IN PROTECTING JOURNALIST'S RIGHT TO RETAIN HIS CREATIVE PRODUCT, THAT WE HOPED WE WOULD HAVE SIMON'S MATERIAL SOON.

3. ON LARGER SUBJECT OF INDIAN CENSORSHIP HAKSAR MADE FOLLOWING POINTS:

A. PRESS CENSORSHIP BEING APPLIED ENTIRELY WITHIN INDIAN LAW.

B. IN RESPONSE CORRESPONDENTS' COMPLAINTS OF CAPRICIOUS OR INCONSISTENT APPLICATION OF CENSORSHIP REGULATIONS, GOI (MIN INFO AND BROADCASTING SHUKLA PRINCIPALLY) HAD MADE

EFFORT ON JULY 21 TO FIND MORE ACCEPTABLE GUIDELINES WHICH IN EFFECT ELIMINATED PRECENSORSHIP. THUS, SITUATION AT PRESENT IS ONE OF SELF-CENSORSHIP, WITH GOI ASKING THAT COPY OF DISPATCHES BE GIVEN TO IT; IF VIOLATIONS OF GUIDELINES ARE FOUND IN REPORTERS' COPY, THIS WILL BE BROUGHT TO THEIR ATTENTION AND CONTINUED FAILURE TO COMPLY WITH GUIDELINES WILL REQUIRE THEM TO "FACE THE CONSEQUENCES OF CONTINUED VIOLATION."

C. IF A CORRESPONDENT IS UNABLE TO ABIDE BY THESE REGULATIONS WHICH ARE BASED ON THE LAW OF INDIA, EITHER BECAUSE OF HIS OWN CONSCIENCE OR BECAUSE OF INSTRUCTIONS FROM HIS HOME

ORGANIZATION, IT IS THE GOI VIEW THAT HE SHOULD "WITHDRAW FROM THE SCENE."

4. MEA SPOKESMAN SAID HE HAD NOW RECEIVED LETTER FROM NYTIMES CORRESPONDENT BORDERS STATING THAT NYTIMES WOULD BE UNABLE TO SIGN ANY CENSORSHIP REGS; HE PLANNED TO ANSWER NYTIMES' LETTER ALONG ABOVE LINES.1(

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 NEW DE 09901 231426Z

5. HAKSAR SAID HE HOPED EMBASSY WOULD ADVISE AND COUNSEL CORRESPONDENTS ON THESE SAME ABOVE POINTS. ACTING PAO REPLIED THAT EMBASSY COULD INFORM CORRESPONDENTS OF THE GOI POSITION, BUT NOT ADVISE OR COUNSEL THEM; THIS WAS A MATTER FOR THE CORRESPONDENTS THEMSELVES OR THEIR ORGANIZATIONS.

6. COMMENT: IT SEEMS THAT THERE IS NOT MUCH GIVE ON THE GOI SIDE ON THIS MATTER BUT WE HAVE BEEN FOOLED BEFORE. HAKSAR CITED MRS. GANDHI'S STATEMENT PUBLISHED IN TODAY'S PRESS THAT THE EMERGENCY WAS A "PAINFUL NECESSITY" AND HE ADDED THAT THE GOI COULD NOT BE INDIFFERENT TO A SITUATION IN WHICH THERE WERE CONTINUING VIOLATIONS OF THE LAW. HAKSAR ALSO SEEMED TO BE APPEALING TO CORRESPONDENTS VOLUNTARILY TO LEAVE IF THEY WON'T TAKE THE PLEDGE SO THE GOI WILL NOT BE FORCED TO APPLY THE LAW AND EXPEL THEM. (WE UNDERSTAND BBC HAS DECIDED TO PULL OUT ITS CORRESPONDENT.) HE SAID THERE COULD BE DIFFERENCES OF OPINION CONCERNING THE NECESSITY FOR THESE MEASURES OR HOW THEY WERE BEING APPLIED, BUT AT THE PRESENT TIME THIS WAS THE LAW AND IT WAS EXPECTED THAT IT SHOULD BE OBEYED. HAKSAR'S MANNER THROUGHOUT WAS UNEMOTIONAL AND PLEASANT, YET FORMAL, FIRM AND UNYIELDING ON HIS MAJOR POINTS.
GILMORE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CENSORSHIP, THE PRESS, JOURNALISTS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975NEWDE09901
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750254-0367
From: NEW DELHI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750729/aaaabagx.tel
Line Count: 132
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 JUL 2003 by BoyleJA>; APPROVED <17 NOV 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOI SPOKESMAN AND PRESS CENSORSHIP
TAGS: PINS, SOPN, IN
To: USIA STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006